

HOUSE BILL 109

By Hulsey

AN ACT to amend Tennessee Code Annotated, Title 40,
Chapter 28, relative to parole.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 40-28-116, is amended by adding the following as a new subsection (c):

(c)

(1) There is a presumption that a prisoner who reaches the release eligibility date for the prisoner's combined state sentences and has an active detainer commitment to serve a term of imprisonment in a foreign jurisdiction, shall, unless good cause is shown to deny release, be granted parole in order to begin service of the term of imprisonment in the foreign jurisdiction if:

(A) The term of imprisonment in the foreign jurisdiction is greater than the period of imprisonment left to serve on the prisoner's combined state sentences;

(B) The prisoner would otherwise be eligible for parole consideration; and

(C) The prisoner is a good candidate for parole release upon application of any release decision-making guidelines in use by the board.

(2) When a prisoner has a parole hearing, the department of correction must provide information to the board regarding filed active detainer commitments in which the prisoner is to serve a term of imprisonment.

(3) If parole release is granted to a detainer in a foreign jurisdiction, then the entity having custodial authority over the prisoner must file a notification

request with the foreign jurisdiction for the remainder of any Tennessee sentence, prior to parole release.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.